



JOHN A. PÉREZ
SPEAKER OF THE ASSEMBLY

June 3, 2011

Mr. Mark Leary
Acting Director
Department of Resources Recycling and Recovery
1001 I Street
PO Box 4025
Sacramento, CA 95812-4025

ATTN: Ms. Kathy Frevert

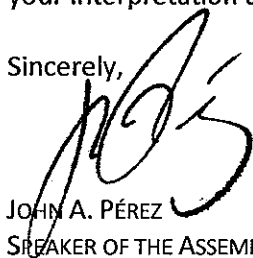
Dear Mr. Leary:

I write to clarify the intent of AB 2398 (Chapter 681, Statutes of 2010) as it relates to the definition of "carpet" in subdivision (d) of Section 42970 of the Public Resources Code. Specifically a question has been raised as to whether the definition of "carpet" in the measure includes wool and other natural fiber carpets. It was certainly not my intent to exclude wool and other natural fiber carpets from the definition, and I believe the existing definition in its entirety should be interpreted to include wool and natural fiber carpets as well as synthetic face fibers. Specifically :

- (d)(1) describes carpet as "primarily constructed of synthetic face fibers" in recognition of the fact that the vast majority of carpets are made from synthetic fibers, but it does not exclude natural fiber carpets.
- (d)(2) states that carpet "includes, but is not limited to,...residential broadloom carpet....," which would include wool.
- (d)(3) lists a series of exclusions. Had I specifically intended to exclude wool carpet, it would have been included in the list of exclusions.

It is my understanding that the question of whether wool carpets are included in scope of AB 2398 was only recently raised, and therefore the regulations currently before the Office of Administrative Law are silent on the issue. It is also my understanding that at the first revision of the regulations DRRR will clarify that wool carpets are included within the scope of the bill. Considering the provisions of the statutory definition as cited above, I hope and expect that DRRR will include wool and other natural fiber carpets in the implementation of AB 2398 from the outset. Please contact Pete Price of my staff if your interpretation differs or if you wish to discuss this matter further with my office.

Sincerely,



JOHN A. PÉREZ
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